

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



|                        |                  |
|------------------------|------------------|
| Application Number     | 10/564,782       |
| Filing Date            | January 17, 2006 |
| First Named Inventor   | PEPPER           |
| Group Art Unit         | 2614             |
| Examiner Name          | Binh Kien Tieu   |
| Attorney Docket Number | LSN-36-1955      |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 C.F.R. § 1.114.

- a. ☐ Previously submitted (Note: Any previously filed unentered amendments will be entered unless applicant instructs otherwise. If applicant does not wish to have previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).)
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed \_\_\_\_\_
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS) (Form PTO/SB/08a)
- iv. ☒ Other **Petition to Withdraw from Issue Under 37 C.F.R. § 1.313(c)**

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ Applicant claims "small entity" status.
- b. ☒ Fees are attached as calculated below:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 810.00 (1801)/\$0.00 (2801) \$ 810.00
- ii. ☐ Petition is made to extend the due date \_\_\_\_\_ months (less \_\_\_\_\_ months previously paid) \$ \_\_\_\_\_
- iii. ☒ Other **Petition Fee under 37 C.F.R. § 1.17(h)** \$ 130.00
- c. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed.
- d. ☒ Payment by credit card (credit card payment form attached) in the amount of **\$940.00**.
- e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to **Deposit Account No. 14-1140**.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                       |                                   |               |
|-------------------|-----------------------|-----------------------------------|---------------|
| Name (Print Type) | Larry S. Nixon        | Registration No. (Attorney/Agent) | 25,640        |
| Signature         | <i>Larry S. Nixon</i> | Date                              | March 5, 2009 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, or facsimile transmitted to the U.S. Patent and Trademark Office at: **63/96/2063-0000DAF1-0000121-10564782**

|                   |       |      |        |
|-------------------|-------|------|--------|
| Name (Print Type) | _____ | Date | 8/9/09 |
| Signature         | _____ | Date | _____  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.